



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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JAN 09 2009

Ref: EPR-N

Rene Berkhoudt, Monument Manager
Grand Staircase-Escalante National Monument
Bureau of Land Management
190 East Center Street
Kanab, Utah 84741

RE: Draft Monument Management Plan
Amendment and Draft Rangeland Health
Environmental Impact Statement, CEQ #20080404

Dear Ms. Berkhoudt,

The Region 8 Office of the U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the Grand Staircase-Escalante National Monument (GSENM) Management Plan Amendment for Rangeland Health. In accordance with EPA responsibilities under the National Environmental Policy Act (NEPA), 42 U.S.C. 4231 and Section 309 of the Clean Air Act, EPA offers the following comments for your consideration.

This DEIS analyzes alternatives for the management of livestock grazing within the Monument consisting of more than two million acres of public lands primarily in Kane and Garfield Counties, Utah. BLM has prepared this analysis of grazing options because the previous plans were completed in 1981 and need to be updated. The GSENM Management Plan prepared in 2000 did not address most of the previously issued grazing allotment decisions. The DEIS address five alternatives: (1) Alternative A – No Action, which would maintain the current management, (2) Alternative B would result in minimal grazing adjustments, (3) Alternative C, the Agency Preferred Alternative, would modify allotments not meeting standards and temporarily suspend grazing on about 10 percent of the allotments, (4) Alternative D would either modify allotments with structural improvements or suspend grazing on allotments that fail to meet BLM's Rangeland Health Standards, and (5) Alternative E would be similar to Alternative D without emphasizing structural improvements, but would suspend grazing until Rangeland Health Standards are attained. Implementing Alternatives A, B, and C would result in about 75,000 animal unit months (AUMs) available for grazing use, while Alternative D would provide for approximately 63,000 AUMs and Alternative E approximately 59,000 AUMs.

Based on the Land Use Plan Amendment completed in 1999, certain allotments within the planning area were closed to grazing to protect some riparian areas, including the upper reaches of the Escalante River and Lower Calf Creek allotments for example. However, EPA remains concerned about how BLM will manage the other riparian areas within the planning area that do not now meet rangeland health standards. Of primary concern to EPA is whether the

proposed plan will be capable of assuring in a timely manner, BLM's goal to restore riparian areas to properly functioning conditions, which would also help assure the these streams can meet the State of Utah's water quality standards. Currently, allotments that do not meet riparian or water quality standards, due to existing livestock grazing includes: Collet, Death Hollow, Ford Well, Soda, Mollies Nipple, Rock Creek-Mudholes, Upper Paria, and Vermillion, for which BLM proposes future actions to determine a new stocking level following restoration. The proposed action for these riparian areas in poor condition contrasts with the alternative of suspending grazing in these allotments, until the range health standards are attained, as would be implemented if either Alternative D or Alternative E were selected rather than Alternative C.

EPA has four concerns with the analysis and the proposed action: (1) the change in criteria used to determine proper functioning condition, (2) the impacts result from actual grazing use rather than permitted use, (3) the need to suspend grazing until rangeland health is attained, and (4) impacts to the impaired reaches of the Paria River and the Escalante River.

1. Change in criteria used to determine if riparian areas are properly functioning.

Most of these grazing allotments were field evaluated in 2003. At that time, the procedure used to assess sites resulted in sites that scored a "3" (i.e. a moderate departure from its ecological potential) being classified as "functioning at risk" and were listed as not attaining the range land health standards. In 2008, however, the BLM changed this procedure so that same score of "3" is now listed as meeting range land health standards. Changing these criteria undermines the ability of the decision maker to understand the adverse trends in these allotment conditions. The difference between these two procedures is important since many grazing allotments analyzed using the older, 2003 procedure, resulted in recommendations for field improvements, or suspension in grazing management. In contrast, BLM's Preferred Alternative, Alternative 3 proposes no reduction in the number of AUMs to be allotted within the Monument. The DEIS concluded that nine allotments did not meet rangeland health standards, however, this is a result of this shift in analysis, rather than actual range land condition improvements since 2003.

EPA recommendation: We suggest the Final EIS revise the analysis so that the criteria used in 2003 are used in this analysis, in order to promote an understanding of the adverse trends in rangeland health and riparian functions.

2. Impacts result from actual grazing use rather than the permitted grazing use. The information contained in Appendix 1, Part A, of the DEIS shows that the rates of livestock use in recent years on these allotments has frequently been considerably less than the permitted amount that BLM has approved. For example, actual use as a percentage of permitted use has been as low as 14% on the Vermillion allotment, 34% on the Mollies Nipple allotment, and 44% on Upper Paria allotment since 2002. Despite actual use being a fraction of the permitted grazing use, all three of these grazing allotments have not achieved properly functioning conditions which is a result of grazing at these substantially lower rates. Thus the impaired conditions that BLM has observed are not based on the amount of grazing that could occur.

EPA recommendation: We suggest that the Final EIS display the percentage of actual grazing use that has been occurring during the past five years for each impaired allotment. The

analysis of potential adverse impacts should be revised to assess the possible results, especially to impaired riparian areas, if the BLM-permitted amount of grazing should occur. BLM should also give further consideration of temporarily suspending grazing use on the impaired allotments until rangeland health is restored in lieu of voluntary measures to achieve that result.

3. The need to suspend grazing until rangeland health is attained. As noted in the Draft EIS, many of the critical wet meadow conditions have been adversely affected by grazing in a manner that will be difficult to restore to proper rangeland health without suspending grazing. For example, the DEIS states that head cutting in wet meadows could de-water these systems and result in replacement of palatable grass species by less palatable upland species. Within the Monument, apparently most wet meadow sites have been invaded by non native grass species and are now dominated by exotic perennial grasses (especially Kentucky bluegrass and Redtop). Alternatives D and Alternative E present management plans that would achieve results by first suspending grazing, or in combination with range improvements, until such time as the range land health standards are attained. Given the uncertainties of persistent drought conditions as severe as recent years reoccurring, suspension of grazing until range land health is attained prior to a resumption of grazing, provides a more resilient and reliable management approach. Occasionally, BLM has worked with its allottees to achieve similar results on a voluntary basis. BLM notes, for example, that the Upper Paria Grazing Association has assisted BLM over the past five years to manage their allotments at about 50% of the allotted use and that due to these voluntary measures, improvements have been made in several pastures.

EPA Recommendation: A summary of the management methods for each voluntary agreement that BLM has reached with the allottees should be identified for every impaired allotment where such agreements apply. BLM should consider suspension of grazing until results are achieved should such voluntary measures not achieve success.

4. Actions needed to protect the water quality impaired reaches of the Paria River and the Escalante River. The State of Utah has identified two reaches of the Paria River that do not meet the total dissolved solids (TDS) standard and thus can not support stock watering use. The source of the elevated TDS is erosion of exposed marine shales in the headwaters of the watershed. The analysis completed by the State for the Total Maximum Daily Load (TMDL) limits indicates that these conditions result primarily from natural erosion and that BLM-permitted actions are a minor contributor to TDS loading in the Paria. Last year, Utah proposed adoption of various site-specific TDS criteria, which would relax the statewide TDS requirement to better reflect what is attainable based on natural conditions in the Paria. For two sections of the Paria River, the proposed criteria were not adopted based on a recommendation from EPA that the supporting analysis needed to be further developed. The upper reach of the Escalante River, from its confluence with Bolder Creek to its headwaters, has been listed as impaired by the State of Utah based on high stream temperatures. The TMDL analyses for this stream indicates that causes include flow depletion upstream of the Monument in the Dixie National Forest and altered riparian and streambank conditions. Last July, Utah proposed to revise the use designation of the upper main stem section of the Escalante River from "3A-coldwater" to "3B-warmwater." The proposal was supported by a valid use attainability analysis. This proposed

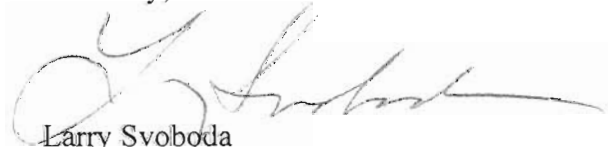
revision was adopted by the Utah Water Quality Board. The upper tributaries to the Escalante still have a 3A-coldwater use designation.

EPA Recommendation: For the Paria River, EPA suggests that the Final EIS provide additional assessment of the allotments that fail to meet upland range health due to grazing and reconsideration of Alternative D or Alternative E for these allotments. Suspending grazing until the range land health standards are attained, and subsequently monitoring the TDS in the stream, is essential in order to determine if the TDS concentrations can be improved due to grazing management changes. For the upper Escalante River reach, many of these allotments have been previously closed to grazing or are now meeting the current range land health criteria. For this stream reach, we suggest that additional consideration be given to the use of the rangeland health standards used in 2003. BLM will need to note the revision of the temperature standards in the main stem from coldwater to warm water. Additional investigation is needed to assess whether the observed higher stream temperatures in the upper tributaries are related to grazing practices. If either the prior range land health standard or the additional analysis indicates that grazing does contribute to elevated temperatures in the upper Escalante segments, then either Alternative D or Alternative E should be implemented in these allotments. Suspending grazing until the range land health standards are attained, and subsequently monitoring the temperature in the stream, is essential to determine if cooler temperatures can be achieved from improved grazing practices.

EPA evaluates the potential effects of a Proposed Action and the adequacy of information in a Draft EIS. The Agency Preferred Alternative, Alternative C, is rated by EPA as "EC-2" under EPA's rating criteria, which is enclosed. The "EC" (Environmental Concerns) rating means that our review identified several environmental impacts that should be avoided to fully protect the environment. The EC rating is based on EPA's concerns regarding the potential impacts to water quality and riparian conditions. The potential for significant environmental degradation could be reduced by suspending grazing in impaired allotments until range land health has been restored. A "2" rating means that the DEIS has insufficient information to thoroughly assess environmental impacts. Quantitative analysis of future conditions based a consistent procedure to assess grazing impairment and evaluation of the impacts based on the permitted use versus actual use should be included in the Final EIS.

Weston Wilson of my staff has coordinated EPA's comments. He can be reached at the address above, by telephone at (303) 312-6562, or by e-mail at wilson.wes@epa.gov. If you and your staff would like to meet with us to respond to our comments, please call me at (303) 312-6004. Thank you in advance for considering our comments and concerns.

Sincerely,



Larry Svoboda
Director, NEPA Program
Office of Ecosystems Protection
and Remediation

Enclosure

cc: Mark Habbeshaw, Kane County, Kanab, Utah
Clair Ramsey, Garfield County, Panguitch, Utah
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